

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of

Rules and Regulations Implementing the	)	CG Docket No. 02-278
Telephone Consumer Protection Act of 1991	)	

**PETITION FOR RECONSIDERATION**

**DOERNBECHER CHILDREN’S HOSPITAL FOUNDATION**

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Doernbecher Children's Hospital Foundation is grateful for the opportunity to submit this Petition of Reconsideration to the Federal Communications Commission in response to your report and order concerning calls made by for-profit companies on behalf of non-profit organizations.

We request your further consideration of the report and order dealing with the organizations that are "predominantly commercial in nature." Because DialAmerica is a vital source of philanthropic income for the programmatic and operational needs of Doernbecher Children's Hospital, we ask that you consider the tax-exempt nonprofit exemption also be applied when for-profits make calls with the intention of donating a percentage of the proceeds to non-profit charitable organizations.

The impact of loss that would be incurred by Doernbecher Children's Hospital, should DialAmerica not be allowed to continue calling on behalf of non-profits, would be devastating to the 40,000 children we serve each year. We cannot minimize this impact! We currently receive between \$13,000 and \$18,000 each and every month from DialAmerica. This money directly supports the hospital. Dial America has provided an average of \$170,000 annually over the last few years, and over \$2,000,000 since 1988 when DialAmerica started working on behalf of the children of Oregon.

Doernbecher Children's Hospital is the pediatric center at Oregon Health & Science University in Portland, Oregon — the only academic medical center in the state. As has been our public mission for decades, we serve the sickest of the sick and the greatest volume of patients. We are the only specialty center for many pediatric diseases, and without philanthropic support, our ability to serve all children would be seriously jeopardized.

In the past year, we incurred over \$93,000,000 in medical expenses for the inpatient children we served. Only \$82,000,000 was reimbursed through insurance or other sources. Of the \$11,000,000 deficit incurred this past year, over \$2,600,000 is completely uncompensated, and these families have no access to resources to pay for the care their children received. The entire amount has to be written off! The hospital will receive only partial reimbursement for the remaining \$8,400,000 of that deficit, though much of it will never be covered. We simply cannot and will not turn these children away, but without philanthropic support such as that we receive from DialAmerica, we cannot provide for these children. The consequences are truly unimaginable.

We are talking here about the most basic needs to which children are entitled.

Doernbecher must have enough inpatient beds to actually care for these children and the funds to pay, even a portion, of the care for those who are underinsured or uninsured.

DialAmerica provides 12% of each magazine subscription to Doernbecher. In the aggregate that 12% converts to a huge infusion of support for our mission. DialAmerica

is a professional, honest and straightforward organization that provides money for us to directly serve children who are very, very ill. DialAmerica's calling representatives always make full disclosure to the consumer of the percentage of contribution to Doernbecher, their magazines are sold at a competitive retail price, they offer 100% cancellation, and the sale value does not exceed \$100. These criteria, along with the 12% non-profit contribution, should clearly allow your reconsider of the exemption.

In reality, if this source of revenue is taken from Doernbecher, it is taken from the sickest children in our state who have the least ability to pay and the greatest need for our services. We ask the Commission to reconsider the exemption of programs like DialAmerica that provide cash resources to Doernbecher, as we struggle to pay for medical services for the children of Oregon.